c. means responsively coupled to said permitting means for generating a report; and

[e]d. means responsively coupled to said [offering] <u>generating</u> means and said permitting means for spooling said report for future delivery to said [user terminal] <u>permitting means</u>.

A2

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17. (Unchanged) An apparatus according to claim 16 wherein said publicly accessible digital communication network further comprises the world wide web.

18. (Unchanged) An apparatus according to claim 17 wherein said generating means further comprises means for storing said report.

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19. (First Amended) An apparatus according to claim 18 wherein said generating means further comprises [Classic] <u>CLASSIC</u> MAPPER data base management system.

A3

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20. (Unchanged) An apparatus according to claim 19 wherein said permitting means further comprises an industry standard personal computer.

REMARKS

The above amendments and following remarks are submitted in response to the Official Action of the Examiner (i.e. Paper No. 3) mailed November 16, 2000. Having addressed all objections and grounds of rejection, claims 1-20, being all the pending claims, are now deemed in condition for allowance. Reconsideration to that end is respectfully requested.

The Examiner has objected to Figs. 3-4 of the drawings, as utilizing reference numeral "54" to refer to two elements. The Examiner further objected to Figs. 1, 3-4, 5-6, and 9-10 as utilizing multiple reference numerals to refer to similar compon- ents. The Examiner further objected to Figs. 6, 9, and 10 as having reference numerals not discussed within the specification. The Examiner further objected to the specification as discussing reference numerals not found within the drawings. Enclosed herewith are proposed modifications to Figs. 3-6 and 9-10 and corresponding amendments to the specification which are deemed to completely address these objections. Substitute formal drawings will be submitted upon allowance of all claims.

The Examiner objected to the specification in view of the use of the terms "Cool ICE" and "Classic MAPPER". The above amendments to the specification are deemed fully responsive to these objections.

The Examiner objected to the titled. In response thereto, the title has been amended as recommended by the Examiner.

The Examiner objected to the manner in which Applicant incorporated material by reference. The above amendments to the specification are deemed fully responsive to this objection.

The Examiner objected to the specification as missing various serial numbers and filing dates for cross-referenced applications. The above amendments are deemed fully responsive to this ground of rejection.

The Examiner objected to the specification as containing various typographical errors. The above amendments are deemed fully responsive to these rejections.

Claim 16 was rejected under 35 U.S.C. 112, second paragraph, containing certain informalities. The above amendments to claim 16 are deemed fully responsive to this rejection.

The Examiner has rejected claims 1-4, 6-14, and 16-18 under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 5,864,871, issued to Kitain et al (hereinafter "Kitain") in view of U.S. Patent No. 6,094,655, issued to Rogers et al (hereinafter "Rogers"). This rejection is respectfully traversed for the following reasons.

Specifically, claim one is a Jepson claim which is limited by a single improvement element, "a server ...... wherein said server spools said report for future delivery". The Examiner has correctly noted that Kitain does not teach or suggest such an element. Nevertheless, the Examiner does state:

> **Rogers et al.,** however, teaches a data processing
> system wherein said server spools the requested reports
> for future delivery (see col. 9, lines 2-10; see also

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col. 14, line 44 through col. 15, line 9; see also col. 19, line 40 through col. 20, line 38).

This finding is clearly erroneous.

For example, the Examiner cites column 9, lines 2-10, to show that the execution results of Rogers "... are stored in a file on the application processing server." However, the very next sentence (i.e., column 9, lines 11-14 of Rogers states:

> After DIS creates a file that contains the formatted report results, our control program agents program dynamically creates HTML tags to present the formatted report back to the Web client on the Internet.

Thus, quite apart from spooling the data, Rogers teaches presentation of the report to the client as soon as available in the proper format.

Similarly, column 14, line 44, through column 15, line 9, along with Fig. 7 definitely show that the report is presented to the client, as soon as available (see column 9, lines 3-5). This specifically teaches away from "spooling the report for future delivery".

In reaching his obviousness conclusion, the Examiner states:

> It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate said spooling feature into a data processing system, since this supports the ability to distribute the requested report to multiple locations, and/or in multiple formats.

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This conclusion is reached without any support from the prior art of record. Kitain, as admitted by the Examiner, teaches only direct (i.e., unspooled) delivery of reports. Rogers, as shown above, also shows only direct delivery without spooling for future delivery.

Therefore, the rejection of claim 1 is respectfully traversed as based upon a clearly erroneous finding of fact and for failure to show motivation to modify the cited prior art.

Claim 6 is further limited by an "administration module" which performs the spooling function. The Examiner has apparently rejected claim 6 without addressing this further limitation. Thus, the rejection of claim 6 is respectfully traversed as being incomplete.

Claim 2 depends from claim 1 and claim 7 depends from claim 6. Both are further limited by a plurality of terminals, each of which displaying the spooled report. The Examiner has admitted that Kitain does not teach spooling of a report. Therefore, it is not understood how he can find that Kitain has a plurality of terminals which display the spooled report, since Kitain admittedly does not even have one terminal which displays the spooled report. The rejection of claims 2 and 7 are respectfully traversed.

Claims 3 and 9 depend from claims 2 and 8, respectively. Therefore, they are deemed patentable.

Claims 4 and 8 depend from claims 3 and 7, respectively. These claims are further limited by a "repository" for the storage of the "spooled report". In making his rejection, the Examiner again cites Rogers, column 9, lines 2-10. Again, the Examiner does not cite column 9, lines 19-21, which states:

> After the DIS capsule has created the file containing the report request results, the control program creates HTML statements dynamically that display the report results to the Web browser.

Again, there is no showing of spooling for future delivery. Thus, there is no showing of a "repository" for the storage of the spooled report. The rejection of claims 4 and 8 are respectfully traversed.

Claim 10 depends from claim 9 and is therefore deemed patentable over the prior art of record.

Claim 11 is a method claim which is limited by the steps of

a. _automatically generating a report by said data base management system in response to a sensed signal_;

b. converting said report into an HTML display page;

c. spooling said HTML display page within a repository;

d. making a service request from said user terminal to said data base management system; and

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e. transmitting said HTML display page from said data
base management system to said user terminal. (Emphasis
added)

In his rejection of claim 11, the Examiner has paraphrased the

limitations of claim 11 instead of addressing them as presented.

There is no showing in Kitain of step a) which requires

"automatically generating a report .... in response to a sensed

signal". Thus, there can be no showing of steps b), c), through

e) which "convert", "spool", and "transmit" this unrequested

report in response to step d) which is the making of a different

(and likely unrelated) request.

Instead, the Examiner states:

Rogers et al., however, teaches a method of communicat-
ing between a user terminal and a database management
system comprising the automatic generation of a report
in response to a sensed signal ......

Again, the Examiner misreads Rogers. There is no showing of

"automatically generating a report" in Rogers. There is only the

generating of a report in response to a user request.

In acknowledging the failure of the cited prior art to show

the claimed limitation, the Examiner states:

It would have been obvious to one of ordinary skill in
the art at the time of the invention to incorporate
said automatic report generation, since this allows
more up-to-date information to be displayed to the user
than if pre-created and saved reports are displayed.

Thus, the Examiner admits that the present invention is a substantial improvement over the prior art.

The rejection of claim 11 is respectfully traversed as failing to address the claimed invention.

Claims 12-14 depend from claim 11 and are thus deemed patentable.

In rejecting claim 16, the Examiner states:

> Regarding claim 16, **Kitain et al.,** discloses an apparatus substantially as claimed, ...
> C) means for spooling said report for future delivery (see col. 12, lines 28-34).

This finding of fact is inconsistent with the Examiner's correct admission in paragraph 20 which states:

> **Kitain et al.,** does not teach a data processing system wherein said server spools the requested reports for future delivery.

Thus, the rejection of claim 16 is respectfully traversed as based upon clearly and admittedly erroneous findings of fact.

Claims 17-18 depend from claim 16 and are therefore deemed patentable.

Claims 5, 15, and 19-20 are deemed patentable as depending from allowable claims.

Having thus responded to each objection and ground of rejection, Applicants respectfully request entry of this amend-
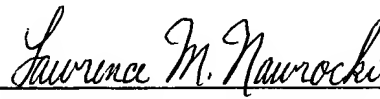
ment and allowance of claims 1-20, as amended, being the only

pending claims.

Respectfully submitted,

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By his attorney,

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